

EPA Releases New Memo Outlining Strategy to Equitably Deliver Clean Water Through President Biden's Bipartisan Infrastructure Law

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DALLAS (March 8, 2022) – Today the U.S. Environmental Protection Agency (EPA) issued a memorandum to guide collaborative implementation with state, local, and Tribal partners of \$43 billion in water infrastructure funding through the Bipartisan Infrastructure Law. President Biden, with bipartisan support from congress, is providing the single largest investment in water the federal government has ever made. EPA's memo is a key implementation step that outlines requirements and recommendations for the Drinking Water and Clean Water State Revolving Funds (SRFs) to ensure the country is working together to deliver clean and safe water and replace lead pipes for all Americans, especially disadvantaged communities.

“The Bipartisan Infrastructure Law's investment in clean water is nothing short of transformational,” said **EPA Assistant Administrator for Water Radhika Fox**. “EPA and its state, local, and Tribal partners have an obligation to work together and maximize the impact of these funds in communities, especially disadvantaged communities. Water is essential, and this action will help ensure that every American can rely on safe drinking water and have access to wastewater management that protects health and the environment.”

“Today's action by the EPA is a great example of how the bipartisan Infrastructure Investment and Jobs Act will make a real difference in people's lives by investing federal funds to create good-paying jobs and protect safe drinking water for our children and working families,” said **Michigan Governor Gretchen Whitmer**. “Recently, I signed an executive directive readying Michigan to use the incoming resources as effectively as possible, and I am proud to see that our federal partners are also prioritizing investments in underserved communities. I look forward to working with the EPA, the Michigan legislature, and anyone who wants to partner with us to replace lead service lines statewide and ensure every parent can give their kid a glass of water with confidence knowing that it is safe.”

“Everyone in Oregon deserves access to clean drinking water, regardless of their income level or the zip code they live in,” said **Oregon Governor Kate Brown**. “I'm very excited to see Administrator Regan and EPA taking this next step to distribute water infrastructure funding to the communities that need it most, with a shared vision that centers equity as we work to deliver clean and safe drinking water to all Americans.”

“The Environmental Council of the States appreciates EPA's engagement with the states in preparing their SRF Implementation Memo and looks forward to working closely with EPA and others to ensure these critical funds are delivered quickly and efficiently through flexible and targeted policies to help provide clean and safe water for all,” said **Maryland Department of Environment Secretary and Environmental Council of the States President Ben Grumbles**.

“The SRF implementation memo is the first step in distributing Bipartisan Infrastructure money to states and we appreciate EPA's engagement with the States throughout the memo development,” said **Jim McGoff, Indiana Finance Authority COO and Director of Environmental Programs and Council of**

Infrastructure Financing Authorities President. We look forward to providing this money to communities throughout the nation to improve our water and wastewater infrastructure.”

“The Rural Community Assistance Partnership commends the U.S. Environmental Protection Agency for taking an important first step of releasing timely guidance to state and local partners on how over \$55 billion in water investments through the Bipartisan Infrastructure Law will be implemented,” said **Rural Community Assistance Partnership (RCAP) Interim CEO Keith Ashby**. “RCAP stands ready to work with EPA, states, and non-governmental partners to ensure that small and rural disadvantaged communities have equitable access to these historic investments in our nation’s water infrastructure.”

The majority of water infrastructure funding through the Bipartisan Infrastructure Law—\$43 billion—will flow through the Clean Water and Drinking Water State Revolving Funds (SRFs). EPA’s implementation memo provides information and guidelines on how EPA will award and administer supplemental SRF Capitalization Grants through the law, including for the general drinking water and clean water SRF programs and funding that will be dedicated to removing lead service lines and addressing perfluoroalkyl and polyfluoroalkyl substances (PFAS) and other emerging contaminants.

EPA’s implementation memo highlights the flexibility provided to states and borrowers to address a wide variety of local water quality and public health challenges. SRF funding through the Law can be used in combination with additional funding sources to finance water infrastructure projects that meet the most pressing local needs. The memo also underscores provisions included in the Bipartisan Infrastructure Law to ensure that disadvantaged communities fully benefit from these historic investments in the water sector. Additionally, the memo specifies strategies for making rapid progress on lead service line replacement and addressing PFAS and other emerging contaminants.

EPA will be working with state co-regulators, Tribal partners, and stakeholders on next steps. The agency will provide training and technical assistance to support the development of intended use plans that identify priority projects for SRF funding. EPA intends to review these plans aligned with the requirements and recommendations of the implementation memo with the goal of expeditiously investing in communities across the country.

The memo issued today follows a [letter from EPA Administrator Michael S. Regan to Governors in December of 2021](#), encouraging states and Tribes to maximize the impact of water funding from the law to address disproportionate environmental burdens in historically disadvantaged communities across the country.

Working collaboratively, the SRF programs and EPA can make progress towards Justice40, which aims to ensure that federal agencies deliver at least 40% of benefits from certain investments to disadvantaged communities.

EPA will host national webinars on March 10, 2022, and March 16, 2022. To register visit <https://www.epa.gov/dwsrf/forms/bil-implementation-memorandum-webinar>.

For more information, visit: <https://www.epa.gov/infrastructure>.

What They’re Saying

Congressional Members

Senator Tom Carper (DE), Chair, Senate Committee on Environment and Public Works: “I am delighted to see EPA working to make sure our Bipartisan Infrastructure Law is implemented to help improve people’s lives. Today’s step will help make sure everyone in America has access to clean, safe, and

reliable drinking water and wastewater. We know that access to this essential infrastructure lifts up communities—today’s announcement will bring healthier families, a stronger economy, and job opportunities for years to come.”

Representative Peter A. DeFazio (OR), Chair, House Committee on Transportation and Infrastructure: "The Bipartisan Infrastructure Law is a once-in-a-generation investment in clean water infrastructure that will have tremendous benefits for our communities, enhancing both our public health and the health of our economy. I applaud the EPA for quickly releasing Clean Water State Revolving Fund investments, and prioritizing funding for communities that have struggled to afford critical clean water upgrades, especially our rural, tribal, and economically disadvantaged communities. Clean water is crucial to our quality of life and should not vary depending on your zip code. Through the BIL, we are finally delivering the investment our water infrastructure needs and Americans deserve."

Representative Frank Pallone, Jr. (NJ), Chair, House Committee on Energy and Commerce: “The Bipartisan Infrastructure Law provided an historic and long overdue investment in our nation's water infrastructure, and I commend the Biden EPA for working hard to ensure those critical resources reach the communities that need them. Disadvantaged and underserved communities have borne the burden of unsafe drinking water for far too long and this action is a step toward righting that wrong,” said Chairman Frank Pallone, Jr. “The State Revolving Fund has been a vital tool for addressing safe drinking water challenges, including toxic PFAS and lead, and I'll keep working with EPA to ensure it has the resources it needs so that every American can trust the water coming out of their tap is safe.”

Representative Jim McGovern (MA): “No community in America should have to struggle with access to water that is safe and affordable – especially with the growing threat of dangerous chemicals like PFAS. Thanks to President Biden’s leadership, the Bipartisan Infrastructure Law will move us closer to making clean water for all a reality. I commend EPA for their work to ensure that the largest clean water investment in our nation’s history proves transformational for communities. Today’s actions to bolster the State Revolving Fund programs are a critical start to that effort.”

Senator Tammy Duckworth (IL): “When I drafted the water infrastructure provisions of the Bipartisan Infrastructure Law, the intent was to provide resources for disadvantaged communities that have been left behind for far too long. I’m so proud that the Biden administration and EPA are delivering on this intent. With this announcement, we can finally get to work making sure all communities can update their outdated water infrastructure, and I look forward to continuing to work with the Biden administration to put these dollars to work to do just that.”

Representative Grace F. Napolitano (CA): “We commend EPA for quickly implementing this much needed funding from the Bipartisan Infrastructure Law. These programs were created and funded after incredible input from communities, cities, states, tribes, and water agencies. We are proud that the Biden administration and the Congress have worked together on a bipartisan basis to respond to the needs of our communities with this announcement today.”

Representative Paul Tonko (NY): “For decades we have known about the harmful and lasting impacts of unsafe drinking water. Yet, time and again, the infrastructure needs of our communities went unaddressed. Now, thanks to the historic federal investments provided in our Bipartisan Infrastructure Law, we are taking that long overdue action to restore our crumbling water systems and make sure no child drinks water from lead-contaminated pipes. Today’s memo from EPA is a critical step toward enabling state and local governments to access these transformational funds and deliver support to our most vulnerable communities. I thank EPA for their partnership and will continue pushing in Congress to deliver the resources needed to ensure that every American has access to safe, clean water.”

Senator Ben Cardin (MD): “Every resident of every community has a right to expect that the water coming from their tap is safe and affordable to drink and dispose of. The action announced by EPA today is a critically important step toward improving our aging drinking water, wastewater, and stormwater infrastructure to protect public health,” said Senator Cardin, Chair of the Senate EPW Transportation and Infrastructure Subcommittee. “EPA’s collaborative approach helps ensure funds from the Infrastructure Investment and Jobs Act will future-proof water systems in Maryland and across the nation to make water services more affordable for customers and more resilient to the impacts of climate change.”

Senator Jeanne Shaheen (NH): “Updating water infrastructure and expanding access to clean drinking water were key priorities I negotiated in the Bipartisan Infrastructure Law. I’m thrilled to see the administration release guidance on how communities can best utilize the \$55 billion allocated through this law to bolster water infrastructure. This implementation memo will help ensure critical funding reaches the most underserved communities, including those at greatest risk of lead and PFAS contamination through water supplies,” said Shaheen. “I’m pleased with the Biden administration’s hands-on approach in engaging local communities to distribute these once-in-a-generation investments, and I’ll continue working as a partner to the administration to ensure the promise of this historic law becomes a reality.”

State Officials

Arizona Department of Environmental Quality Director Misael Cabrera: “We commend EPA for its extensive outreach to states associated with the Infrastructure Investment and Jobs Act. The release of the SRF Implementation Memo is the next step in the process of EPA getting infrastructure dollars to states. We look forward to collaborating with Arizona WIFA and EPA to put water and wastewater funds to work on Arizona infrastructure projects.”

California State Water Board Chair E. Joaquin Esquivel: In the nearly 50 years that have passed since the Clean Water Act and Safe Drinking Water Act became law, our country has made great progress toward improving the universal access and affordability of water and sanitation. Yet, for millions of Americans there is still an urgent need to address current and growing inequities and threats to that progress. The speed and thoughtfulness with which these State Revolving Fund guidelines were developed reflects the matched urgency the Biden Administration is bringing to meet the challenges facing water systems in our communities, and to implementing the nation’s Bipartisan Infrastructure Law. The federal inflow of funding comes well timed. This year, California will celebrate a decade since adoption of the state’s Human Right to Water, enter a third year of implementing its Safe and Affordable Funding for Equity and Resilience drinking water program, and make a historic \$5.2 billion state investment in drought and water resilience led by Governor Newsom. Through local, state, and federal alignment of funding and policies, we have a generational opportunity to reinvest in, recommit to, and fortify our shared water future.”

Connecticut Department of Public Health Public Health Branch Chief and Association of State Drinking Water Administrators (ASDWA) President Lori J. Mathieu: “Today’s release of EPA’s BIL State Revolving Fund Implementation Memorandum concerning drinking water infrastructure funding is a critical first step toward investing this important funding in the provision of safe drinking water and protecting public health. The BIL funding represents a historic and unique opportunity to invest in the sustainability of our nation’s public drinking water supply systems. State drinking water agency leadership, drinking water programs and Drinking Water State Revolving Loan Fund programs are excited to work with EPA to move forward with the provision of increased funding for drinking water infrastructure. With a focus to address aging infrastructure, lead service lines, and emerging contaminants, this funding support can assist to address a variety of drinking water system issues. States look forward to continuing their partnerships with EPA on increasing water infrastructure funding where it’s most needed, to focus on health equity and assist disadvantaged communities. The release of the SRF Implementation Memorandum is the first step of many to get the infrastructure dollars to states and to public drinking water systems. We look

forward to reviewing the memorandum so that we can continue our important work in protecting public health and ensuring the provision of safe drinking water.”

Idaho Department of Environmental Quality Director Jess Byrne: “The release of the SRF Implementation Memo is the first step in getting infrastructure dollars to states. We look forward to working with EPA to continue providing critical funds for water and wastewater infrastructure projects in Idaho.”

Illinois Environmental Protection Agency Director John Kim: “The release of the SRF Implementation Memo is the first step in the process of EPA getting infrastructure dollars to states, and we look forward to reviewing the memo so that we can continue our work providing funds for water and wastewater infrastructure projects in Illinois.”

Louisiana Department of Environmental Quality (LDEQ) Secretary Dr. Chuck Carr Brown: “LDEQ welcomes the announcement of EPA’s continuing funding of the Clean Water State Revolving Fund in Louisiana. Clean water is an invaluable resource. These funds enable water quality projects in communities of need across our state and help those areas meet infrastructure improvement goals and make sewer upgrades that will last a lifetime.”

Michigan Department of Environment, Great Lakes, and Energy Director Liesl Clark: “Surrounded by the Great Lakes ecosystem with 20% of the world's surface freshwater, Michiganders are passionate about investing in drinking water infrastructure and ensuring clean water for our many varied uses. This guidance will give clarity to EGLE and the legislature on how to most efficiently and effectively get dollars into the hands of the local communities to upgrade and maintain critical drinking water systems.”

Minnesota Pollution Control Agency Katrina Kessler Commissioner: “The Bipartisan Infrastructure Law bolsters the strong partnership between the federal and state governments to help communities address the devastating impacts from climate change, protect our waters from emerging contaminants like PFAS, and replace our aging water infrastructure while ensuring those disproportionately impacted by pollution have safe, reliable, clean water. Minnesota is ready to get to work and fully utilize these new federal funds.”

New Hampshire Department of Environmental Services Commissioner Robert R. Scott: “The release of the SRF Implementation Memo is the first step in the process of EPA getting infrastructure dollars to states and we are appreciative that this will now be available for review. We look forward to working further with EPA to ensure that the greatest amount of flexibility is provided to the states so that we may best meet our combined goal of maximizing the benefit to water and wastewater infrastructure projects in New Hampshire.”

New Jersey Department of Environmental Protection Commissioner Shawn M. LaTourette: “The Garden State is accelerating its work to grow good-paying jobs while improving drinking water and wastewater infrastructure thanks to the historic Bipartisan Infrastructure Law investments and the thoughtful support of the Biden-Harris Administration,” said Shawn M. LaTourette, New Jersey Commissioner of Environmental Protection and Co-Chair of the Environmental Council of the States Infrastructure Workgroup. “EPA Administrator Michael S. Regan, Assistant Administrator Radhika Fox, and their EPA teams are moving quickly to deploy new investments where they are needed most: removing lead and synthetic chemicals from the nation’s drinking water, ensuring cleaner waterways free of untreated sewage, and securing our infrastructure in the face of a changing climate—all with an unyielding focus on equity and environmental justice. This unprecedented federal-state partnership has been critical to the development of Governor Phil Murphy’s Water Infrastructure Investment Plan and will benefit New Jersey residents, their health and environment for generations to come.”

New York State Department of Environmental Conservation Commissioner Basil Seggos: “Thanks to the hard work of President Biden and our partners in the New York Congressional delegation, the Bipartisan

Infrastructure Law will provide transformational clean water infrastructure funding across the country. New York stands ready to expedite the deployment of these critically needed resources to bolster the State's robust investments and help provide restorative equity for disadvantaged communities, which for too long have suffered from disinvestment. Working hand-in-hand with our federal partners, we can deliver dollars to communities across the state, improving quality of life and addressing longstanding local needs."

New York State Environmental Facilities Corporation President and CEO Maureen Coleman: "New York welcomes this unprecedented investment in water and sewer infrastructure through the State Revolving Funds. We applaud President Biden and our Congressional partners for providing these financial resources to address New York's environmental infrastructure and prioritizing funding for communities most in need. The economic and public health benefits of this investment will be realized on a generational scale."

Washington State Department of Ecology Director Laura Watson: "Today, inequalities tied to race and income have created barriers to accessing clean water for many communities in Washington and across America. The Bipartisan Infrastructure Law will help us to bridge this gap and make transformative investments in water quality where they are needed the most," said Watson. "With EPA's partnership, we're ready to put those funds to work here in Washington state to provide clean water for all."

Local Officials

Milwaukee Mayor Cavalier Johnson: "We have a significant opportunity to improve our water infrastructure, including replacing lead service lines, thanks to the Bipartisan Infrastructure Law," said Mayor Cavalier Johnson. "I applaud the effort EPA is making to prioritize equitable investment in water across the nation, and here at home in Milwaukee."

Baltimore City Department of Public Works Director Jason Mitchell: "The Bipartisan Infrastructure Law includes a transformative investment in our nation's water infrastructure, but only if the funding is distributed equitably," said Jason W. Mitchell, Director of Baltimore City Department of Public Works. "I applaud the effort EPA and Administrator Reagan are making to advance essential water infrastructure investments across the country, and especially here at home in Baltimore City."

DC Water CEO and General Manager David Gaddis: "I applaud EPA's work to provide guidance on how to best direct the historic amount of funding in the Bipartisan Infrastructure Law to disadvantaged communities, and I look forward to working with Mayor Muriel Bowser and the EPA to ensure equitable distribution to historically underinvested communities," said David Gaddis, CEO and General Manager of DC Water. "

Louisville Metropolitan Sewage District CEO Tony Parrott: "This is a historic opportunity to address critical repairs to wastewater, stormwater and flood protection systems, but ensuring the environmental justice envisioned will require clear direction from the EPA to provide states flexibility," said Tony Parrott, Executive Director of Louisville MSD, whose community has a majority of households at or below the federal poverty line. "For disadvantaged communities, principal forgiveness or grants, not just low-interest loans, are needed to make these vital repairs, and by doing so, lift and help restore these communities. Done right, this type of investment will create jobs and safeguard infrastructure for generations to come."

New Orleans Sewerage and Water Board Executive Director Ghassan Korban: "We applaud EPA's leadership in prioritizing historically disadvantaged communities for funding available through the bipartisan Infrastructure Investment and Jobs Act," said Ghassan Korban, Executive Director of The Sewerage and Water Board of New Orleans. "We look forward to working with Governor Edwards to ensure this funding goes to the communities that need it most."

Seattle Public Utilities Interim General Manager and CEO Andrew Lee: “Our nation’s water infrastructure protects human and environmental health, and we appreciate the increased partnership between EPA and local utilities under the new law. This new funding allows for increased investment in every community in the country,” said Andrew Lee, Interim General Manager of Seattle Public Utilities. “People in rural areas, urban areas and everywhere in between all deserve reliable services at rates they can afford. We support EPA’s work to prioritize these water investments that benefit everyone, especially underserved customers.”

Labor Leaders

Laborers’ International Union of North America (LIUNA) General President Terry O’Sullivan: “The hard-working men and women of LIUNA, who build our nation's water infrastructure, applaud both President Biden and the EPA's leadership on the implementation of history-making investments in clean and safe drinking water with strong commitments to ensure that workers doing this vital work are able to join unions and earn good, family-supporting pay.”

International Union of Operating Engineers General President James T. Callahan: “The Operating Engineers applaud the work of the Environmental Protection Agency (EPA) to leverage the Bipartisan Infrastructure Law’s dramatic water investments to support local communities. The EPA streamlines approval processes, provides flexibility to support local needs, prioritizes replacing lead drinking water pipes, and emphasizes investments in disadvantaged communities. The EPA’s emphasis on flexibility and innovation to prioritize projects within communities where they are most needed and will have immediate impact is right on target. Providing safe drinking water by ridding our nation of lead service lines and reducing contaminated wastewater discharges is critical as the agency works to deliver on the single largest investment in clean water that the federal government has ever made -- \$50 billion! The Operating Engineers look forward to partnering with EPA, state agencies, and local utilities to train and grow the workforce necessary to make these projects a success. The investment comes not a moment too soon. We have a lot of work to do. Let’s get started!”

North America’s Building Trades Unions (NABTU) General President Sean McGarvey: “North America’s Building Trades Unions’ and its affiliated unions applaud the Administration’s action to improve water quality and address the risks posed to families across this country by dangerous contaminants. We look forward to working hand in hand with communities to utilize these dollars under the State Revolving Funds to rebuild our infrastructure and create more pathways to the middle class through the unionized construction industry.”

United Association General President Mark McManus: “Today’s implementation memorandum for state revolving funds will ensure that funding for water infrastructure as outlined in the Bipartisan Infrastructure Law will not only be used to modernize water systems and to protect clean drinking water but that it will create good-paying jobs in the process,” said McManus. “The strong labor protections attached, like the use of Davis-Bacon prevailing wage provisions, will ensure working families like ours can earn fair wages and benefits on these projects.”

United Association Director of Plumbing Services Tom Bigley: “This funding will have direct impacts on millions of Americans as we modernize our water infrastructure and ensure all communities have access to clean water free from lead and emerging contaminants,” said Bigley. “When it comes to protecting the health of the nation – whether through delivering clean water, replacing lead lines, or expanding access for disadvantaged communities – no one is better equipped than the skilled members of the United Association.”

International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers: “The International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers welcomes the Environmental Protection Agency’s (EPA) newly released implementation memo on water infrastructure

funding from the Bipartisan Infrastructure Law (BIL). Our nation's crumbling infrastructure has impacted our nation's health and environment for years. EPA's memo charts a path for State Revolving Funds (SRFs) to fix our water infrastructure while creating good union jobs. This is the first time EPA has addressed quality jobs and collective bargaining in its recommendations to state revolving funds, and it reinforces the Biden Administration's commitment to empowering workers. The White House Task Force on Worker Organizing and Empowerment's report highlighted EPA water programs' potential to help labor, and it is good to see the agency acting on the task force's recommendation. This whole-of-government support for American workers is unprecedented. Our union's 128,000 members look forward to working with EPA and SRFs to get these infrastructure projects built on time and under budget."

Community and Environmental Leaders

Center for Rural Enterprise and Environmental Justice Founder Catherine Coleman Flowers:

"I am thrilled about EPA's prioritization of underserved communities like those in Lowndes County, Alabama, and across the country. EPA's new infrastructure implementation memorandum is an example of what real leadership looks like between government and communities who have waited far too long with unsafe water infrastructure and sanitation. Now let's get to work."

Earthjustice Legislative Counsel Julian Gonzalez: "Earthjustice applauds EPA for issuing important and timely guidance. The billions of dollars provided by Congress for water infrastructure in the Infrastructure Investment and Jobs Act must be distributed as equitably as possible. We must ensure that communities of color and low-income communities who carry the heaviest pollution burdens receive these funds. EPA's guidance contains important steps toward that goal like ensuring that grant funding is for disadvantaged communities and prohibiting partial lead service line replacement. We look forward to working with EPA, states, and tribes on building more resilient infrastructure in disinvested communities."

Natural Resources Defense Council (NRDC) Senior Strategic Director for Health Erik D.

Olson: "Every person has a right to safe water from source to tap, no matter what neighborhood they call home. This plan targets funding and technical assistance to disadvantaged communities that do not have access to safe, affordable water and sanitation. The agency's commitment to ban funding for dangerous partial lead pipe removals that leave some lead pipe in the ground also will provide crucial health protection. The details of EPA's implementation plan will be critical, but what we know of the agency's new direction is highly encouraging and could be a game-changer."

League of Conservation Voters Deputy Legislative Director Madeline Foote: "We applaud the EPA's efforts to direct historic investments in our water infrastructure to the communities who need them most -- low-income communities and communities of color who have borne a disproportionate share of the pollution burden," said Madeleine Foote, Deputy Legislative Director at the League of Conservation Voters. "Every family deserves clean water, and these critical investments will go a long way toward achieving this goal while eliminating lead from our drinking water, tackling the growing PFAS crisis, creating good jobs, and making sure our water systems are resilient to the impacts of climate change. With this directive, the Biden-Harris administration is taking another key step towards delivering on their Justice40 commitments, and we look forward to continuing to work with them to safeguard our waterways and ensure clean water for all."

Clean Water Action National Campaigns Director Lynn Thorp: "Clean Water Action applauds EPA's leadership to ensure effective and equitable programs to spend the transformational investments made possible by the Bipartisan Infrastructure Investment and Jobs Act. The SRF Implementation Memo includes a much-needed framework and further guidance to States on important topics, including modernizing definitions of "disadvantaged communities," prioritizing technical assistance, not using funds for partial lead

service line replacement, and prioritizing climate mitigation and adaptation projects. These key points are examples of the leadership we need to build toward a truly equitable and effective “infrastructure decade.”

National Wildlife Federation Vice President of Environmental Justice, Climate, and Community

Revitalization Mustafa Santiago Ali: “Access to clean water is fundamental. The funding in the bipartisan infrastructure law will go a long way towards addressing the nation’s water infrastructure challenges, including replacing lead service lines, upgrading treatment plants, and protecting water quality. The administration’s visionary commitment encourages projects that incorporate natural systems, supports “future-proofed” designs that anticipate extreme weather driven by climate change, and ensures equitable access by making nearly half the funding available as grants or forgivable loans. We look forward to working with EPA, states, and tribal nations to maximize on the ground impacts by ensuring that resources reach the communities in greatest need, as this historic funding is turned into projects that benefit people and wildlife.”

PolicyLink Director of Water Equity and Climate Resilience Dr. Yasmin Zaerpoor:

“The \$50 billion of water provisions included in the Bipartisan Infrastructure Law can help to ensure water security for disinvested communities who have historically lacked access to clean, affordable water infrastructure due to systems failure and exclusion from policymaking processes and to better prepare them for the realities of a changing climate. We applaud the EPA’s efforts in making sure we get the implementation of the BIL right, by mandating that 49% of the State Revolving Funds goes to disadvantaged communities as grants and forgiveness loans, and that future SRF funding also reaches the most overburdened communities, by encouraging states to revisit their definitions of disadvantaged communities and their affordability criteria. It’s now up to individual states to make sure that this funding reaches the communities that need it the most.”

Sierra Club Deputy Director of Policy, Advocacy and Legal Dalal Aboulhosn:

“The Sierra Club applauds the Biden Administration for rapidly deploying funds to better safeguard the drinking water for millions of Americans. By mandating the funds prioritize the communities that have been deprived of clean, safe drinking water and replacing every lead pipe, President Biden is finally beginning to right these criminal injustices. We look forward to continuing working with the administration to ensure every single American has access to clean and safe water.”

BlueGreen Alliance Executive Director Jason Walsh: “Access to safe drinking water is a basic necessity that our nation has failed to provide to too many communities for too long. With today’s guidance, the EPA has rightly prioritized getting lead service lines out of our water systems, investing in the health and safety of disadvantaged communities, and ensuring that workers—both at the job site and down the supply chain—see maximum economic benefits from this historic investment.”

GreenLatinos Founding President and CEO Mark Magaña: “GreenLatinos believes that everyone should have access to clean, healthy and affordable water, and we know historically that some communities have not had access to this fundamental human right.” Mariana Del Valle Prieto Cervantes, Water Equity and Ocean Program Director with GreenLatinos said “We applaud EPA on their State Revolving Funds Implementation Memorandum- their efforts to ensure that investments get to the communities that need it the most and building capacity to assist local communities is a great first step to improving our nation's drinking water and wastewater systems. Communities have needed more support and investments towards our water. The SRF programs over the next five years will provide this long-awaited support which will require close collaboration with EPA, states, and local communities. We look forward to supporting and helping to implement it.”

We the People of Detroit President and CEO Monica Lewis-Patrick: “Over the last ten years, Americans have seen their water bills increase by over 30% percent, exceeding the EPA recommendation of 3.5% of monthly household income toward water utilities. We the People of Detroit applauds the White House and U.S. Environmental Protection Agency for lifting the lived experiences of underserved and marginalized

communities. By making funding opportunities more accessible through grants and forgivable loans, critical remediation efforts seem more attainable, and citizens are better equipped to hold state governments to task for the realization of change in our beloved communities.”

Community Water Center Executive Director and Co-Founder Susana De Anda: "For too long, rural communities have not been able to access lasting solutions for their drinking water challenges. USEPA is finally ensuring that funding is guaranteed to communities who need it the most, such as the many farmworker communities in California's Central Valley who continue to be denied their human right to water."

Freshwater Future Executive Director Jill Ryan: “Freshwater Future is very supportive of the approach the U.S. EPA is taking to implement infrastructure funding from Congress by prioritizing that 49% of funds must go to disadvantaged communities, ensuring funds are available for technical assistance and addressing emerging contaminants, these will be effective steps to protect human health and address water concerns. We have seen the difficulties that city and rural communities across the Great Lakes region have faced to address water safety and contamination, and we believe these State Revolving Fund loans and grants are essential for updating water infrastructure and protecting public health in traditionally disadvantaged communities.”

Alliance for the Great Lakes Policy Director for Clean Water & Equity Anna-Lisa Castle: "The Bipartisan Infrastructure Law represents a significant investment in fixing our nation’s failing water and wastewater systems over the next five years, starting with the communities most in need. In the past, water infrastructure funding has not always reached those that need it most, which has meant deferred action to replace toxic lead service lines and rising water bills. We applaud US EPA’s efforts to direct infrastructure funding to historically disinvested communities and require full lead service line replacement as quickly as possible."

Leadership Counsel for Justice and Accountability Co-Founder and Co-Executive Director Veronica Garibay: “As a result of decades of disinvestment, too many communities of color and low-income households we work alongside in California's San Joaquin and East Coachella Valleys lack access to safe and affordable drinking water and wastewater infrastructure. We are encouraged that U.S. EPA is proposing to begin to address these inequities by funding technical assistance, and by committing at least 49% of supplemental drinking water and clean water funding to disadvantaged communities. We look forward to continuing to review the details of these proposals.”

Water Foundation Program Officer Alesandra Nájera: “The new guidance released this week on SRF implementation promises an important new commitment to equity in our federal water infrastructure investments. We applaud the initial efforts of the EPA to improve collaboration and community engagement in developing this guidance, and we look forward to partnering with this Administration to ensure historically excluded communities secure their human right to water.”

River Network Drinking Water Program Director Sheyda Esnaashari: “As advocates for access to clean, safe and affordable water for all communities, we’re encouraged by the Bipartisan Infrastructure Law and the historic funding it allocates to the largest source of funding for water infrastructure – the State Revolving Funds (SRFs), and the targeted measures put in place to ensure funding reaches communities most in need. These funds are essential for protecting water access from source to tap, and ensuring healthy rivers and communities. Unfortunately, many communities have experienced ongoing disinvestment and difficulty accessing funding from the SRF program, leading to unsafe and unaffordable water as their water utilities struggle to manage and maintain necessary infrastructure. We believe the additional guidance and ongoing support from the EPA in the administration of this funding is a step in the right direction toward ensuring communities most in need are able to equitably maintain resilient water infrastructure and protect their most vital natural resource – their water.”

Georgetown Climate Center Adaptation Program Director Mark Rupp: “Disadvantaged communities are affected first and worst by the impacts of climate change, so today’s implementation memorandum is particularly welcome news, setting the stage for making the case for states to be true partners with federal agencies to ensure these communities are supported and lifted up. The Bipartisan Infrastructure Law offers state, local and tribal governments numerous opportunities to plan, design and implement adaptation strategies to build climate resilience across America. The U.S. Environmental Protection Agency’s State Revolving Funds are an integral piece of this strategy, affording states broad flexibility to, among other things, ensure community water systems can withstand extreme weather events and other disasters as well as invest in conservation plans.”

Southern Environmental Law Center Senior Attorney and Water Program Leader Geoff Gisler: “The Bipartisan Infrastructure Law’s investment in water infrastructure may be a historic step toward addressing environmental justice issues, but only if we focus the investment in the communities that need it most,” said Gisler. “We look forward to working with EPA on implementing equitable investment in water infrastructure across the nation.”

DigDeep Founder & CEO George McGraw: “As an organization dedicated to bringing taps and toilets to the more than 2.2 million Americans without them, DigDeep is very encouraged by the EPA’s ambitious priorities for BIL implementation. EPA is fighting for disadvantaged communities by mandating historical levels of grant funding through SRFs and investing in innovative new programs for pressing needs, such as decentralized wastewater. Taken together, these investments will help marginalized Americans finally enjoy the same basic water and wastewater service many already take for granted.”

Water Associations

National Rural Water Association (NRWA) CEO Matt Holmes: “On behalf of all small and rural communities in the country, the National Rural Water Association is very appreciative of the Environmental Protection Agency’s guidance on the Bipartisan Infrastructure Law through the SRF Implementation Memorandum. This legislation will be remembered as one of the nation’s most significant public drinking water and wastewater investments, especially in rural America. Small and rural communities need this help because they often have more difficulty affording public drinking water and wastewater service and complying with federal regulations due to low population density, lack of technical capacity and lack of economies of scale. NRWA looks forward to working with the EPA and our state government partners to help ensure the funding is quickly delivered to local communities’ most pressing safe drinking water and clean wastewater projects.”

Association of State Drinking Water Administrators (ASDWA) Executive Director Alan Roberson: “The heads of the drinking water and SRF programs are looking forward to continuing their partnerships with EPA on increasing water infrastructure funding where it’s most needed and improving public health. The release of the SRF Implementation Memorandum is the first step of many to get the infrastructure dollars to states and water systems. We look forward to reviewing the memorandum so that we can continue our work in helping states to provide increased funding for water infrastructure improvements.”

National Association of Clean Water Agencies (NACWA) CEO Adam Krantz: “NACWA applauds EPA for the timely release of its implementation guidance for the Bipartisan Infrastructure Legislation (BIL),” said Krantz “The EPA did an excellent job listening to concerns about the BIL’s implementation challenges and the guidance demonstrates a commitment to maximize the BIL’s historic investment in our nation’s water infrastructure, especially for disadvantaged and underserved communities. NACWA was pleased to help secure the BIL’s passage, and its member utilities will, with this guidance in hand, do everything we can in partnership with the states and EPA to ensure BIL funds are used to make our Nation’s

communities more resilient and environmentally sustainable. NACWA looks forward to continued collaboration with EPA to successfully implement the BIL.”

Association of Metropolitan Water Agencies (AMWA) CEO Diane VanDe Hei: “Last year AMWA was proud to support passage of the Bipartisan Infrastructure Law and its landmark investments in drinking water infrastructure. Today, we applaud EPA for issuing its Implementation Memorandum to guide how states and communities can put these funds to work addressing priorities like the replacement of lead service lines, remediating PFAS and other emerging contaminants, and building resilience to a range of threats. We look forward to working with EPA and states to ensure the BIL dollars are distributed in a manner that maximizes benefits to low-income ratepayers in communities across the country.”

US Water Alliance CEO Mami Hara: “The Bipartisan Infrastructure Law will be a transformative investment in our nation’s water infrastructure, but only if the funding is distributed equitably. I am excited to see EPA take the important step of releasing direction to state and local partners on how this funding will be implemented, and I look forward to staying engaged with EPA through our Equitable Infrastructure Initiative.”

American Society of Civil Engineers (ASCE) Executive Director Tom Smith: “This historic federal investment in water systems will help jumpstart improvements to aging pipes and water treatment plants, make water systems more resilient for communities, help utilities take advantage of the latest technology and engineering innovations, and begin the important task of removing dangerous lead service lines. ASCE commends this new comprehensive guidance from EPA that makes the process straightforward and transparent to help ensure a wide range of critical projects are brought forward for consideration from communities of all sizes.”

American Water Works Association (AWWA) CEO David LaFrance: “The Bipartisan Infrastructure represents a monumental step forward in confronting our nation’s water infrastructure challenges, and the American Water Works Association looks forward to sharing EPA’s SRF Implementation Memo with its members. AWWA is committed to collaborating with EPA and states to ensure U.S. water utilities of all sizes – and particularly those serving disadvantaged communities – understand how to efficiently access the funds to address lead, PFAS and other pressing infrastructure needs. AWWA’s 2012 Buried No Longer report showed the nation would need to invest more than \$1 trillion over 25 years just to repair and expand existing drinking water infrastructure. The Bipartisan Infrastructure Law is a significant federal commitment in assuring our water systems remain safe and reliable for future generations.”

Water Environment Federation (WEF) Executive Director Walt Marlowe: “The Water Environment Federation supports the progress EPA is making to release the funding for water infrastructure from the Infrastructure Investment & Job Act. EPA’s efforts to communicate with stakeholders has been much appreciated by the water sector. WEF and its members have advocated to Congress and federal policymakers for many years for increased funding for the nation’s wastewater and stormwater infrastructure. EPA’s release of the guidance memo brings us one critical step closer to that funding being a reality. Helping communities invest in water infrastructure, particularly in underserved parts of America, is a WEF priority, and this funding is desperately needed to help accomplish that goal.”

California Association of Sanitation Agencies (CASA) Executive Director Adam Link: “The California Association of Sanitation Agencies (CASA) is encouraged by USEPA’s approach to delivering assistance to local water and wastewater agencies, and we appreciate their support for investments that improve water quality and protect public health for all communities. The SRF program is the backbone of a strong federal, state and local partnership, and this funding is critical to meeting our future water infrastructure needs.”

Background

President Biden signed the Bipartisan Infrastructure Law on Monday, November 15, 2021. This is a big and bold investment in our nation's infrastructure, including a historic \$60 billion investment in key programs and initiatives implemented by EPA to build safer, healthier, cleaner communities. This critical funding means that more Superfund sites will be cleaned up faster; blighted and polluted sites across America will be redeveloped to contribute to local economies once again; the nation's school bus fleet will be made cleaner; and people will be put to work revitalizing aging water infrastructure in communities throughout the country.

In December 2021, EPA announced estimated SRF funding allotments to states, Tribes, and territories for 2022 through the Bipartisan Infrastructure Law. This funding, provided through EPA's SRF programs, will create jobs while upgrading America's aging water infrastructure and addressing key challenges like lead in drinking water and PFAS contamination. For decades, the SRFs have been the foundation of water infrastructure investments, providing low-cost financing for local projects across America. EPA, states, Tribes, and territories have successfully worked together to invest more than \$200 billion in SRF funds since 1988.

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